

REMARKS

In section "1" on pages two and three of the Official Action, the Examiner requests clarification as to the structure in the specification corresponding to the recited "plurality of inspection means", "control means", "memory means", and "analysis means".

With respect to the "plurality of inspection means", paragraph [0014] of the originally filed specification discloses that each of the plurality of inspection means is constituted by an algorithm which converts two-dimensional information data into biological information data. Furthermore, exemplary algorithms are described in paragraphs [0050] through [0052] and [0074] through [0076] of the originally filed specification as executable programs running Test A (blood glucose test), Test B (genetic factor check test) and Test C (environmental factor check test).

Additionally, lines 5-6 of paragraph [0066] disclose that the control means is constituted by the data calculation unit 16, while lines 1-2 of paragraph [0045] disclose that the memory means is constituted by the memory 15. Finally, paragraphs [0057]-[0059] disclose a specific algorithm constituting the "analysis means".

Section "2" of the Official Action sets forth a claim rejection based on the belief that the term "two-dimensional" is indefinite because "it is typically used to refer to a measure of spatial extent... [I]t is unclear how information can be 'two-dimensional'". Applicants respectfully disagree. An ordinarily skilled artisan would understand that the exemplary samples placed on the detection portion 21 as disclosed in paragraphs [0052] through [0054] of the originally-filed specification provide two-dimensional information, as contrasted with three-dimensional

information provided by, for example, a body portion of a patient when undergoing certain types of scans. The claims are therefore definite, and withdrawal of the rejections under 35 U.S.C. § 112 is respectfully requested.

Independent Claim 1 is rejected as being anticipated by U.S. Application No. 2002/0055167, hereinafter Pourahmadi.

The rejection is premised, *inter alia*, on the Official Action's viewpoint that "Pourahmadi discloses a biological information inspection system comprising a plurality of light emitting diodes and photodetectors" in paragraphs [0117] and [0118] of Pourahmadi, that the light emitting diodes and photodetectors constitute "inspection means", and that the plurality of "sensor chips" 101 shown in Fig. 3 each include such an "inspection means". This is not so.

Pourahmadi discloses cartridges 101 for separating an analyte from a fluid sample, and an instrument 211 for processing the cartridges 101. Paragraphs [0117] and [0118] of Pourahmadi discuss methods for processing the cartridges 101 themselves. The photodetecting elements discussed in that portion of Pourahmadi are, if anything, found in the instrument 211, not the cartridges 101. Moreover, there is nothing in Pourahmadi to suggest that the instrument 211 includes a plurality of such photodetecting elements. Accordingly, Pourahmadi does not disclose a system including a plurality of inspection means for detecting biological information as recited in Claim 1.

Additionally, Claim 1 recites an analysis means for making a multifactorial analysis of characteristics of a living organism from a plurality of inspection results obtained by using the plurality of inspection means. The Official Action does not mention, and indeed, Pourahmadi does not disclose, any such analysis means.

Claim 1 is therefore allowable over Pourahmadi, and withdrawal of the rejection of Claim 1 is respectfully requested.

Independent Claim 8 is also rejected as being anticipated by Pourahmadi.

However, for reasons discussed above with respect to Claim 1, Pourahmadi does not disclose a plurality of inspection means for detecting different kinds of biological information respectively, as recited in Claim 8.

Claim 8 is therefore also allowable over Pourahmadi, and withdrawal of the rejection of Claim 8 is also respectfully requested.

The dependent claims are allowable at least by virtue of their dependence from allowable independent claims. Thus, a detailed discussion of the additional distinguishing features recited in the dependent claims is not set forth at this time.

Early and favorable action with respect to this application is respectfully requested.

Should any questions arise in connection with this application or should the Examiner believe that a telephone conference with the undersigned would be helpful

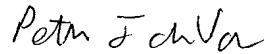
in resolving any remaining issues pertaining to this application, the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: September 1, 2009

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